

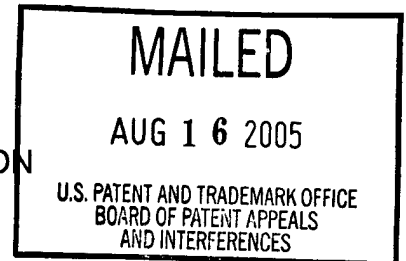
The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PETER NASH,
JOHN W. ROSEVEAR, and DONALD L. ROBINSON

Application No. 09/616,843



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on June 17, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

The Phoenix Applications Management System Table of Contents indicates that a Reply Brief was filed on 06/09/2004 but does not show that this paper was considered by the Examiner. However, the PALM INTRANET Content Information does not contain an entry for a Reply Brief, but does contain an entry titled "Reply Brief Noted by Examiner" for 08/16/2004. A search of the electronic file indicates that a Reply Brief dated 06/09/2004 is in the record. Clarification is needed. If the Reply Brief has been

considered by the examiner, a copy of the consideration needs to be scanned into the record. If the Reply Brief has not previously been considered by the examiner, then the examiner needs consider the Reply Brief, provide written consideration to appellants, and have a complete copy of the communication scanned into the record. Additionally, both the Phoenix Applications Management System and Palm Intranet Table of Contents need to be updated.

Accordingly, it is

ORDERED that the application is returned to the Examiner for

- clarification of the existence and consideration of the Reply Brief;
- if considered, to have a complete copy of the communication scanned into the record;
- if not considered, for written consideration to appellants scanned into the record;
- update both the Phoenix Applications Management System and Palm Intranet Table of contents; and
- for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



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